

**FILED**

JAN 12 2017

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

**BUTTE DIVISION**

JACQUELYN MITCHELL,

Plaintiff,

vs.

YELLOWSTONE ARCTIC  
YAMAHA, INC.,

Defendant.

No. CV 16-13-BU-SEH

**ORDER**

On January 10, 2017, the Court conducted a hearing on Plaintiff's Motion for Sanctions re: Defendant Yellowstone Arctic Yamaha's Spoliation of Evidence.<sup>1</sup>

Upon the record made in open court,

**ORDERED**

Ruling on the motion<sup>2</sup> was deferred pending supplemental briefing and

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<sup>1</sup> Doc. 23.

<sup>2</sup> Doc. 23.

submission of supporting materials as contained in the Court's Order of January 10, 2017.<sup>3</sup>

**FURTHER ORDERED**

Plaintiff's Motion for Certification of Question of State Law to the Montana Supreme Court<sup>4</sup> and Defendants' Motion for Partial Summary Judgment<sup>5</sup> are DENIED without prejudice as premature, to be renewed, if appropriate, upon resolution of Plaintiff's Motion for Sanctions re: Defendant Yellowstone Arctic Yamaha's Spoliation of Evidence.<sup>6</sup>

DATED this 13<sup>th</sup> day of January, 2017.

  
SAM E. HADDON  
United States District Judge

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<sup>3</sup> Doc. 48.

<sup>4</sup> Doc. 34.

<sup>5</sup> Doc. 28.

<sup>6</sup> Doc. 23.